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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,039	10/30/2003	Seiichi Hirai	500.43244X00	6037
24956 7590 08/30/2007 MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			EXAMINER MADDEN, GREGORY VINCENT	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 08/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/696,039	HIRAI ET AL.	
	Examiner	Art Unit	
	Gregory V. Madden	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s): _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

In regard to independent claims 1 and 8, the Applicant has amended the claims to include the limitation of "...wherein said read out image data is image data specified by said selecting as specified image data to be preserved over a long period of time and wherein when a total amount of specified image data to be preserved over a long period of time in said second recording apparatus exceeds an unoccupied portion of said second recording apparatus, an indication of such is provided on said display." Applicant argues that the neither the Fiore reference (U.S. Pub. 2002/0191952) nor the Berezowski reference (U.S. Pub. 2002/0016971) teaches the newly-amended limitations (See Remarks Pgs. 9-11). While the Examiner agrees that neither Fiore nor Berezowski explicitly teaches the above limitations on their own, the Applicant's arguments are considered moot in view of a new rejection citing Kirmuss (U.S. Pub. 2003/0081121) and Bateman (U.S. Pub. 2004/0075750) in addition to Fiore and Berezowski. As will be set forth in further detail below, the Examiner believes that the Kirmuss and Bateman references, when taken in combination with Fiore and/or Berezowski, teach the newly amended limitations of claims 1 and 8. Please refer to the rejections to these claims below, along with the rejections to dependent claims 2-7 and 9-11.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiore et al. (U.S. Pub. 2002/0191952) in view of Kirmuss (U.S. Pub. 2003/0081121), further in view of Bateman (U.S. Pub. 2004/0075750).

First, regarding **claim 1**, the Fiore reference teaches a method of storing image data, the method comprising the steps of obtaining image data from an image pick-up device (monitoring device 6), recording the image data in a first recording apparatus (circular storage buffer 15), retrieving the image data recorded in the first recording apparatus (15) in accordance with a predetermined retrieval condition (e.g. an event signal detected from external event source 8), and displaying (on playback control screen 70) the retrieved image data as a list of information (in event information window 72) relating to the retrieved image data on a display. Further, Fiore teaches that predetermined information from the list of information is selected (by client 30 or 30'), the selected image data related to the selected predetermined information is read from the first recording apparatus (15), and the read out image data related to the selected predetermined information is recorded in a second recording apparatus (storage at client 30 or 30'). Please refer to Figs. 1-4, 6, 7, 10, and 11, and Paras. [0039-0042], [0047-0053], [0056-0060], and [0065-0072]. While Fiore does show that the read out image data is image data specified by the selecting, Fiore fails to specifically disclose that the read out image data is image data specified by the selecting as specified image data to be preserved over a long period of time (i.e. permanently stored in the second storage). Further, Fiore fails to explicitly teach that when a total amount of all specified image data to be preserved over a long period of time in the second recording apparatus exceeds an unoccupied portion of the second recording apparatus, an indication of such is provided on the display. However, noting the Kirmuss reference, Kirmuss teaches a method of storing image data wherein image data is recorded in a first recording apparatus (buffer 180), the image data in the first recording apparatus is retrieved in accordance with a predetermined retrieval condition (i.e. in response to trigger signal 161 signifying a

triggering event), and the retrieved (or selected) image data is read out as image data to be preserved (stored in long-term storage 118) over a long period of time (See Paras. [0102-0106] and [0114]).

Further, referring to the Bateman reference, Bateman teaches a method of storing image data wherein when a total amount of specified image data to be preserved over a long period of time (i.e. video image data to be stored in memory module 125) in a recording apparatus exceeds an unoccupied portion of the recording apparatus, an indication of such (e.g. the LCD 135 displays “FULL” to the user) is provided on the display (135) (See Para. [0025 and [0066], along with Fig. 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the storage of specified image data as image data to be preserved over a long period of time, as taught by Kirmuss, and the indication provided to the display when the amount of specified image data to be preserved in the recording apparatus exceeds an unoccupied portion of the recording apparatus, as taught by Bateman, with the method of storing image data of Fiore. One would have been motivated to do so because by storing specified image data for a long period of time in the second recording apparatus, the user may consult the specified image data at any point in the future without undue concern that the specified image data will be overwritten. Further, by providing an indication to the user that the amount of specified image data to be preserved exceeds the unoccupied portion of the recording apparatus, the user can actively take steps to free recording area (either by deleting unneeded images or altering processing settings in the second recording apparatus), and thus the user will always be aware of whether or not the specified image data is preserved over a long period of time or not.

Considering **claim 2**, the limitations of claim 1 are taught above, and Fiore also teaches that the image data contains information from a sensor (external event source 8) and the list of information (shown in Fig. 7 as event information window 82) contains information from the sensor (i.e. event information). See Paras. [0041] and [0057—0060].

As for **claim 3**, again the limitations of claim 1 are taught above, and Fiore further discloses that the image data is further added with time information (time stamps) that the image data is obtained and the list of information (72 and 82 in Figs. 6-7) contains the time information. Please refer to Paras. [0056-0057].

Finally, regarding **claim 6**, the limitations of claim 1 are set forth above, and Fiore teaches that the step of recording the selected image data relating to the selected information in the second recording apparatus further includes a step of recording reproduction software for reproducing the recorded image data together with the recorded image data, as is taught in Para. [0051].

Next, considering **claim 7**, the limitations of claim 1 are taught above by Fiore in view of Kirmuss, further in view of Bateman, and the Kirmuss reference also teaches that the second recording apparatus (long-term storage 118) comprises a removable recording medium, as is taught in Para. [0106].

Claims 4, 5, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiore et al. (U.S. Pub. 2002/0191952) in view of Kirmuss (U.S. Pub. 2003/0081121), further in view of Bateman (U.S. Pub. 2004/0075750), and still further in view of Berezowski et al. (U.S. Pub. 2002/0016971).

Next, considering **claim 4**, the limitations of claim 3 are taught above, but the Fiore reference only teaches that the image pick-up unit (monitoring device 6) comprises a single image pickup-up device, as is taught in Para. [0040]. Fiore in view of Kirmuss further in view of Bateman also does not teach that image data obtained from each of the image pick-up devices is added with ID for identifying each of the image pick-up devices, the list of information further containing the ID. However, noting Para. [0053], the Berezowski reference teaches a storing method of image data wherein a plurality of image pick-up devices (multiple video cameras 152) are used to capture image data, while Paras. [0133-0138] and Figs. 23a-23b show that the image data obtained from each of the image pick-up devices is

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added with ID (Camera 1, Camera 2, etc.) for identifying each of the image pick-up devices, wherein a list of information (shown in Fig. 23b) further contains the ID (e.g. Camera 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the plurality of image pick-up devices having ID identifying each image pick-up device, as taught by Berezowski, with the storing method of image data of Fiore in view of Kirmuss further in view of Bateman. One would have been motivated to do so because by having multiple image pick-up devices, the remote user can view many different views and angles of a given scene, giving the user many more desirable options of image data to record. Also, by adding ID for each of the image pick-up devices, the user can confirm which image pick-up device they wish to record image data from before actually recording and viewing the image data, thereby saving time and space in the second recording unit.

As for **claim 5**, the limitations of claim 4 are taught above, and the Fiore reference further teaches that the step of displaying the retrieved image data as the list further includes a step of designating in-point and out-point (via pointer 74 and slider bar 73) for selecting desired image data, as is taught in Para. [0058].

Next, considering **claim 8**, the Fiore reference teaches a system for storing image data, wherein the system comprises an image pick-up unit (monitoring device 6) for outputting image data, a transmission unit (signal processor 10) for transmitting the image data from the image pick-up unit (6) to a transmission path (network 4), a first recording apparatus (circular storage buffer 15) coupled with the transmission path for recording the image data from the image pick-up unit, a retrieving processing unit (server 20) for retrieving the image data recorded in the first recording apparatus (15) in accordance with a predetermined retrieval condition (i.e. an event signal from external event source 8), and a display unit (playback control screen 70 of client 30) for displaying the retrieved image data as a list of information (in event information window 72) relating to the retrieved image data. Further, Fiore teaches a selector (user controls of client 30 and/or 30') for selecting predetermined information (i.e. event information)

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from the list of information and reading out the selected image data selecting to the selected information in the list from the first recording apparatus (15), and a second recording apparatus (in client 30 and/or 30') for recording the selected image data. Please refer to Figs. 1-4, 6, 7, 10, and 11, and Paras. [0039-0042], [0047-0053], [0056-0060], and [0065-0072]. While Fiore does show that the read out image data is image data specified by the selecting, Fiore fails to specifically disclose that the read out image data is image data specified by the selecting as specified image data to be preserved over a long period of time (i.e. permanently stored in the second storage). Further, Fiore fails to explicitly teach that when a total amount of all specified image data to be preserved over a long period of time in the second recording apparatus exceeds an unoccupied portion of the second recording apparatus, an indication of such is provided on the display. Fiore also fails to teach that the system comprises a plurality of image pick-up units for outputting image data. However, noting the Kirmuss reference, Kirmuss teaches a system for storing image data wherein image data is recorded in a first recording apparatus (buffer 180), the image data in the first recording apparatus is retrieved in accordance with a predetermined retrieval condition (i.e. in response to trigger signal 161 signifying a triggering event), and the retrieved (or selected) image data is read out as image data to be preserved (stored in long-term storage 118) over a long period of time (See Paras. [0102-0106] and [0114]). Further, referring to the Bateman reference, Bateman teaches a system for storing image data wherein when a total amount of specified image data to be preserved over a long period of time (i.e. video image data to be stored in memory module 125) in a recording apparatus exceeds an unoccupied portion of the recording apparatus, an indication of such (e.g. the LCD 135 displays "FULL" to the user) is provided on the display (135) (See Para. [0025 and [0066], along with Fig. 1). Finally, noting Para. [0053] of the Berezowski reference, Berezowski teaches a storing system of image data wherein a plurality of image pick-up devices (multiple video cameras 152) are used to capture image data (See also Paras. [0133-0138] and Figs. 23a-23b). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the storage of specified

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image data as image data to be preserved over a long period of time, as taught by Kirmuss, the indication provided to the display when the amount of specified image data to be preserved in the recording apparatus exceeds an unoccupied portion of the recording apparatus, as taught by Bateman, the plurality of image pick-up devices of Berezowski, with the system of storing image data of Fiore. One would have been motivated to do so because by storing specified image data for a long period of time in the second recording apparatus, the user may consult the specified image data at any point in the future without undue concern that the specified image data will be overwritten. Further, by providing an indication to the user that the amount of specified image data to be preserved exceeds the unoccupied portion of the recording apparatus, the user can actively take steps to free recording area (either by deleting unneeded images or altering processing settings in the second recording apparatus), and thus the user will always be aware of whether or not the specified image data is preserved over a long period of time or not. And finally, in regard to the multiple image pickup devices, by having multiple image pick-up devices, the remote user can view many different views and angles of a given scene, giving the user many more desirable options of image data to record.

In regard to **claim 9**, the limitations of claim 8 are taught above, and Fiore also teaches that the storing system comprises a sensor (external event source 8), and that the image data contains information from a sensor (external event source 8) and the list of information (shown in Fig. 7 as event information window 82) contains information from the sensor (i.e. event information). See Paras. [0041] and [0057—0060].

Regarding **claim 10**, the limitations of claim 8 are again taught above, and the Fiore reference further discloses that the image data is further added with time information (time stamps) that the image data is obtained and the list of information (72 and 82 in Figs. 6-7) contains the time information. Please refer to Paras. [0056-0057].

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Finally, considering **claim 11**, the limitations of claim 8 are taught above, and Berezowski shows in Paras. [0133-0138] and Figs. 23a-23b that the image data obtained from each of the image pick-up devices is added with an identifier (Camera 1, Camera 2, etc.) for identifying each of the image pick-up devices, wherein a list of information (shown in Fig. 23b) further contains the ID (e.g. Camera 1).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory V. Madden whose telephone number is 571-272-8128. The examiner can normally be reached on Mon.-Fri. 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Gregory Madden
August 28, 2007



NGOC-YEN VU
SUPERVISORY PATENT EXAMINER